



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,427	09/25/2003	Hiroshi Tanaka	FJ-2003-014-US	2414

21254 7590 12/28/2006  
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182-3817

EXAMINER
----------

NEGRON, WANDA M

ART UNIT	PAPER NUMBER
----------	--------------

2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/670,427

Applicant(s)

TANAKA ET AL.

Examiner

Wanda M. Negrón

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Oie (US 6,188,431 B1).**

4. Regarding **claim 1**, Oie discloses an image communication apparatus (1b or slave camera) capable of communicating with another image communication apparatus (1a or master camera) in a server-client system, the server and the client corresponding to the slave and the master in figure 6, comprising an image display device (6) which displays a recorded image, and a selection device which selects an image to be transmitted to another image communication apparatus from among images displayed on the image display device, said selection device interpreted as the plus/minus keys (11, 12) used to select and display the image of interest (see col. 6, lines 54-60). Oie also discloses a transmission device (69 connected to 45 for wired transmission, 145 for wireless transmission) which transmits to another image communication apparatus the

image selected (*Image Data* element in figure 6) by the selection device when a request to send the image (*Reception Code RC* element in figure 6) is received from one or more image communication apparatuses at a client side, interpreted as the master side in reception mode, of another image communication apparatus (see figure 6).

5. Regarding **claim 2**, Oie discloses that the image communication apparatus comprises a digital camera (1b).

6. Regarding **claim 3**, Oie discloses an image communication apparatus (1a or master camera) capable of communicating with another image communication apparatus (1b or slave camera) in a server-client system, the server and the client corresponding to the slave and the master in figure 6, comprising a request transmission device (69 connected to 45 for wired transmission, 145 for wireless transmission) capable of transmitting a request to send an image (*Reception Code RC* element in figure 6) to an image communication apparatus at a server side, interpreted as the slave side in reception mode, when an image to be transmitted is selected from among images displayed on the image communication apparatus at the server side (see col. 6, lines 54-57). Oie also discloses an instruction device, interpreted as the shutter key (9) for establishing communication and the plus/minus keys (11, 12) for selecting the reception mode *RC* (see col. 6, lines 67 – col. 7, lines 1-11), which instructs the request to send the image to be transmitted to the image communication apparatus at the server side (*Negotiation* and *Reception Code RC* elements in figure 6).

7. Regarding **claim 4**, Oie discloses that the image communication apparatus comprises a digital camera (1a).

Art Unit: 2622

8. Regarding **claim 5**, Oie discloses that the instruction device comprises a device, which operates using a release button, i.e. a shutter key button (9), of the digital camera (see col. 6, lines 60-63).

9. Regarding **claim 6**, Oie discloses an image communicating method capable of communicating an image in a server-client system, the server and the client corresponding to the slave and the master in figure 6, comprising the steps of displaying an image at a server side (see col. 6, lines 54-57), selecting at the server side an image to be transmitted to a client side from among displayed images (see col. 6, lines 57-60), instructing at the client side a request to send the image to the server side (*Depression of the Shutter Key* and *Selection of Reception Mode* steps in figure 6), transmitting from the client side to the server side the request to send the image from the server side to the client side (*Reception Code RC* element in figure 6), and transmitting from the server side to the client side the selected image when the server side receives from the client side the request to send the image (*Image Data* element in figure 6).

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ziemkowski (US 7,136,094 B2) discloses a digital camera system including at least two cameras and a bi-directional link for sharing data.
- Morimoto et al. (US 6,774,935 B1) disclose a digital camera with a connector to connect to another camera and an interface for exchanging data with other cameras.

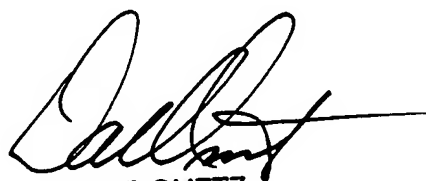
Art Unit: 2622

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda M. Negrón whose telephone number is (571) 270-1129. The examiner can normally be reached on Mon-Fri 6:30 am - 4:00 pm alternate Fri off.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

Wanda M. Negrón  
December 19, 2006



DAVID OMETZ  
SUPERVISORY PATENT EXAMINER